

N.R. ALREADY FILED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
UNITED STATES OF AMERICA :  
: 08 CR. 0692 (VM)  
:  
- against - : **ORDER**  
:  
GENARO OCHOA, :  
:  
Defendant. :  
-----X

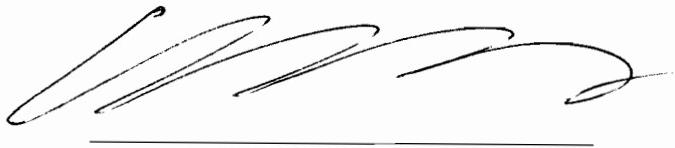
**VICTOR MARRERO, United States District Judge.**

The Defendant, Genaro Ochoa ("Ochoa") (see attached letter) requests an Order directing the United States Marshall Service for the Southern District of New York, pursuant to 18 U.S.C. § 4285, to provide round-trip air transportation for Ochoa and up to two nights hotel accommodation as needed so that Ochoa may attend the pre-trial conference scheduled for September 12, 2008.

Ochoa resides in El Paso, Texas, and was determined to be indigent by Magistrate Judge Andrew J. Peck at his initial conference on March 28, 2008. Accordingly, the Court grants Defendant's request and orders the United States Marshall Service for the Southern District of New York to provide air transportation and accommodations (as needed) so that Ochoa may attend the pre-trial conference scheduled for September 12, 2008.

**SO ORDERED:**

Dated: New York, New York  
26 August 2008



Victor Marrero  
U.S.D.J.

LAWRENCE H. SCHOENBACH\*  
PARTNER, INSTITUTE FOR TAX AND  
COMMERCIAL LAW, CH-ZURICH

OF COUNSEL  
ELLEN BESSIS\*\*  
JÜRGEN BRAND\*\*\*  
CARL J. HARTMANN, III+  
ERICA B. POPKIN  
ANA BERTA VAZQUEZ++  
A. JEFFREY WEISS+++

\*ALSO ADMITTED IN D. PUERTO RICO AND USVI.  
\*\*ADMITTED IN FRANCE ONLY  
\*\*\*ADMITTED IN SWITZERLAND ONLY  
+ADMITTED IN USVI AND NM ONLY  
++ADMITTED IN PUERTO RICO ONLY  
+++ALSO ADMITTED IN USVI AND ILL.

LAW OFFICES OF  
**LAWRENCE H. SCHOENBACH**

THE TRINITY BUILDING  
111 BROADWAY, 13TH FLOOR  
NEW YORK, NEW YORK 10006  
(212) 346-2400  
FACSIMILE (212) 346-4665  
E-MAIL:  
SCHOENBACHLAWOFFICE@ATT.NET

25, AVENUE D'EYLAU  
75116, PARIS, FRANCE

TALSTRASSE 82  
POSTFACH 4818  
8022, ZÜRICH, SWITZERLAND

JOSEFA MENDIA 488  
URBANIZACION LOS MAESTROS  
SAN JUAN, PUERTO RICO 00923

9618 ESTATE THOMAS, SUITE 1  
TRAMWAY BUILDING NO. 2  
CHARLOTTE AMALIE, ST. THOMAS  
UNITED STATES VIRGIN ISLANDS

August 22, 2008

Via ECF and Regular Mail  
Honorable Victor Marrero  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10006

*Re: United States v. Genero Ochoa  
08 Cr. 692 (VM)*

Dear Judge Marrero,

I write on behalf of my client, the above-referenced Genero Ochoa, to respectfully request an Order directing the U.S. Marshal Service for the Southern District of New York, pursuant to 18 U.S.C. § 4285, to provide round-trip air transportation for Mr. Ochoa, as well as up to two nights hotel accommodation (as needed), so that my client may attend the arraignment on the Indictment before Your Honor currently scheduled for Friday, September 12, 2008.

This is the defendant's first appearance before Your Honor after his appearance before the U.S. Magistrate and I advise the Court that I have made no other similar applications to this, or any other, court.

I have previously spoken with U.S. Marshal Hope Haynes who advises that the U.S. Marshal Service provides such service for those indigent defendants who are without sufficient funds to attend court. Mr. Ochoa was, at his initial appearance before the Magistrate, determined to be indigent and I was appointed to represent him pursuant to the Criminal Justice Act. Mr. Ochoa resides in El Paso, Texas in a rental apartment with his wife and children. He works as an independent truck driver and has otherwise very limited financial means to afford to travel to New York.

I have discussed this matter with AUSA Todd Blanche, Esq. who has no objection to the request for the U.S. Marshal's assistance to Mr. Ochoa.

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LAWRENCE H. SCHOENBACH

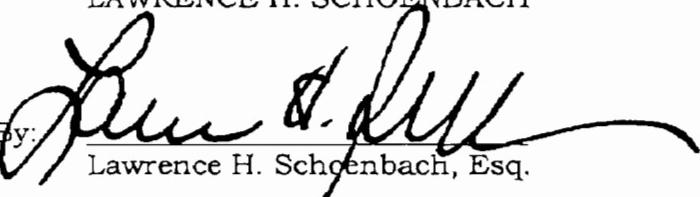
Honorable Victor Marrero  
United States District Judge  
August 22, 2008  
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If the court were to grant this request, I would acknowledge that it would be appropriate to toll the Speedy Trial clock, pursuant to Title 18 U.S.C. § 3161 (a)(h)(F) as it is the defendant who is requesting relief from the Court.

Thank you for your consideration.

Very truly yours,

LAW OFFICES OF  
LAWRENCE H. SCHOENBACH

By:   
Lawrence H. Schoenbach, Esq.

LHS/sms

Cc: AUSA Todd Blanche, Esq. (via ECF and regular mail)  
U.S. Marshal Hope Haynes (via facsimile and regular mail)  
Mr. Genero Ochoa